

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**SPECIAL CIVIL APPLICATION No. 850 of 1997****For Approval and Signature:****HONOURABLE MR.JUSTICE R.S.GARG**

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1 Whether Reporters of Local Papers may be allowed
to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy
of the judgment ?

4 Whether this case involves a substantial question
of law as to the interpretation of the
constitution of India, 1950 or any order made
thereunder ?

5 Whether it is to be circulated to the civil
judge ?

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**DECEASED LAXMIBEN HARJIVANBHAITHROUGH HEIR & 7 -
Petitioner(s)**

Versus**STATE OF GUJARAT & 2 - Respondent(s)**

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Appearance :

MR KK TRIVEDI for Petitioner(s) : 1 - 8.

MR DIPEN DESAI AGP for Respondent(s) : 1 - 2.

MS MOKSHA THAKKER for Respondent(s) : 3,

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG**Date : 14/06/2007****ORAL JUDGMENT**

1. Mr.K.K. Trivedi, learned counsel for the petitioners,
Mr.Dipen Desai, learned Assistant Government Pleader
for the State and Ms.Moksha Thakker, learned counsel
for the respondent No.3.

2. Unfortunately, the petitioners continued to be in possession and in view of the Repeal Act and its enforcement in this State, proceedings initiated at the instance of the State Government would abate.
3. The petition is allowed. All the orders impugned passed against the interest of the petitioners are quashed. Rule is made absolute. No costs.

(R.S. GARG, J.)

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